

COCHRAN NEUFELD & SCHECK, LLP

99 Hudson Street
New York, New York 10013

Tel: 212-965-9081

Fax: 212-965-9084

Peter J. Neufeld
Barry C. Scheck
Nick J. Brustin
Debi Cornwall

Johnnie L. Cochran, Jr.
(1937-2005)

Jennifer E. Laurin
Monica R. Shah
Anna Benvenuti Hoffmann

June 8, 2007

BY HAND

Hon. Judith G. Dein
U.S. Magistrate Judge
United States District Court
District of Massachusetts
1 Courthouse Way
Boston, Massachusetts 02210

Re: Waters v. Town of Ayer et al., No. 04 Civ. 10521 (GAO)(JGD)

Dear Judge Dein:

Pursuant to your order of May 23, 2007, plaintiff now submits documents from the criminal defense files that were generated prior to August 12, 1987 (when the Supreme Judicial Court denied rehearing after affirming Mr. Waters's conviction) for which Plaintiff claims privilege, along with a brief for the Court's *in camera* consideration. For ease of reference, a privilege log of the documents presented is also enclosed, and we have highlighted responsive lines in any document in which there is additional material that does not fall under the Court's order.

In our close review of these files we identified a two-page document (D000817-18) which was erroneously withheld. That document has now been disclosed to counsel.

Thank you for your consideration.

Respectfully submitted,



Deborah L. Cornwall

enclosures

cc: Jay Tehan, Esq. (all w/o enclosures, via ECF, email and U.S. mail)
Jeffrey T. Blake, Esq.
Gregg Corbo, Esq.
Janelle Austin, Esq.
Counsel for all defendants